



Serial No.: 10/631,149
Attorney Docket No.: 805990-0113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)	
Inventors: Phillip B. Blankenship et al.)	Examiner: Daniel H. Miller
Serial No.: 10/631,149)	Group Art Unit: 1755
Filed: July 31, 2003)	Confirmation No.: 2224
For: REFLECTIVE CRACK RELIEF PAVEMENT INTERLAYER WITH IMPROVED LOAD BEARING CAPACITY AND METHOD FOR DESIGNING INTERLAYER)	Docket No.: 805990-0113

DECLARATION OF PHILLIP B. BLANKENSHIP UNDER 37 C.F.R. §1.132

I Phillip B. Blankenship, under penalty of perjury do hereby declare and state:

1. My name is Phillip Blankenship. I received both a B.S. and a M.S. in Civil Engineering from University of Kentucky in Lexington, Kentucky. The specialty area of my master's degree was transportation materials. I am a registered Professional Engineer.

2. I have over 13 years of experience in road paving design and construction. This experience includes over 10 years of industry experience in designing roads and improving paving techniques and about 3 years of government experience with the Kentucky Transportation Cabinet. Throughout my career, I have attended numerous continuing education courses relating to the design of pavement systems. I serve on the National Cooperative Highway Research Program review panel for the National Academy of Science. I also serve as a friend of the Transportation Research Board committee on Flexible Pavement Construction and Rehabilitation.

3. I am an inventor of the subject matter of the above-referenced patent application.

4. All asphalt paving materials having aggregate containing no more than about 15% by weight natural sand and an asphalt binder do not have the same Hveem Stability and do not have the same Flexural Beam Fatigue.

5. One cannot predict in advance how a particular mixture of aggregate and binder will perform based upon known properties because of wide variations in the physical properties of the materials being utilized.

6. To my knowledge, prior to our invention, it was not known to test a particular mixture for specific Hveem Stability and Flexural Beam Fatigue factors in order to design a superior interlayer.

7. I hereby declare that all statements made herein of my own knowledge are true and that any statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the pending patent application or any patent issued therefrom.


Phillip B. Blankenship

Date: 8/8/06